

Message Text

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PAGE 01 STATE 221117

62

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S E C R E T STATE 221117

LIMDIS

FOLLOWING REPEAT ROME 12051 SENT ACTION SECSTATE NOVEMBER 3:

QUOTE

LIMDIS

E.O. 11652: GDS

TAGS: PFOR PINS IT SY

SUBJECT: RELEASE OF ARAB TERRORISTS

REF: ROME 10416

1. POLITICAL COUNSELOR ON NOVEMBER 2 CALLED ON VICE DIRECTOR GENERAL FOR POLITICAL AFFAIRS TO OBTAIN CONFIRMATION PRESS REPORTS OF RELEASE TWO OF FIVE ARAB TERRORISTS HELD IN CONNECTION SUSPECTED PLOT TO LAUNCH MISSILE ATTACK ON EL AL PLANE AT ROME (FIUMICINO) AIRPORT, AND TO REQUEST THAT MY PERSONAL DISAPPOINTMENT HE EXPRESSED TO FOREIGN MINISTER MORO. VICE DIRECTOR GENERAL WAS REMINDED OF IMPORTANCE US ATTACHES TO THE PROBLEM OF TERRORISM, THE GRAVITY OF THIS PARTICULAR INCIDENT, AND OF MY PERSONAL APPROACH BO PRIME MINISTER ON THIS SUBJECT. WE NOTED

SECRET

SECRET

PAGE 02 STATE 221117

UNFAVORABLE COMPARISON BETWEEN EARLY RELEASE THESE TWO TERRORISTS,

AND DIFFICULTY WE HAVE CONSISTENTLY FACED IN OBTAINING EARLY RELEASE OF AMERICAN JAILED FOR MINOR CHARGES.

2. VICE DG CONFIRMED RELEASE OF TWO TERRORISTS (NAMES PREVIOUSLY NOTIFIED TO WASHINGTON), AND ASSURED POLITICAL COUNSELOR MY DISAPPOINTMENT WOULD BE PASSED PROMPTLY TO FOREIGN MINISTER. HE ALSO REVIEWED FACTS OF THE CASE OF WHICH WE (AND DEPARTMENT) ALREADY AWARE, INCLUDING RELATIVELY MINOR CHARGES WHICH THE FIVE TERRORISTS FACE. ALTHOUGH INVESTIGATING MAGISTRATE IN ITALY MAKES NO INFORMATION AVAILABLE UNTIL INVESTIGATION IS COMPLETE, BEST LEGAL JUDGMENT HERE IS THAT NONE OF FIVE WILL FACE CHARGE BASED ON ATTEMPTING SHOOT DOWN EL AL PLANE. ATTEMPT WAS NOT MADE. ONE TERRORIST COULD FACE CHARGE OF ILLEGAL POSSESSION OF ARMS (1 TO 5 YEARS MAXIMUM); THE OTHER FOUR PROBABLY FACE, AT MOST, CHARGES OF FALSE DOCUMENTS (1 TO 3 YEARS). FINALLY, LACK OF LEGAL MEANS TO INFLUENCE INDEPENDENT MAGISTRACY WAS EMPHASIZED. FULL LEGALITY OF RELEASE AS A PREROGATIVE OF COURTS IS CLEAR. IN ANSWER TO DIRECT QUESTION, VICE DG SAID THAT IN THESE CIRCUMSTANCES HE COULD NOT PREDICT PROSPECTS FOR REMAINING THREE TERRORISTS.

3. RUMORS OF IMMINENT RELEASE OF THESE TERRORISTS WERE CIRCULATING AS EARLY AS SEPTEMBER, AND WE WERE NOT SURPRISED, THEREFORE, AT ANNOUNCED RELEASE OF TWO AT END OF OCTOBER, DESPITE OUR EFFORTS. I AM SURE OUR EFFORTS PUT THE ATTENTION OF THE GOI, AT THE HIGHEST LEVEL, ON THIS PROBLEM. AS STATED REFTEL, WE EXPECTED OUR EFFORTS IN SEPTEMBER TO DELAY RELEASE OF THESE TERRORISTS, BUT PREDICTIONS AS TO HOW LONG WERE NOT POSSIBLE. THIS ASSESSMENT IS STILL PERTINENT, OF COURSE, WITH REGARD TO THE REMAINING THREE. VOLPE

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